

## DIVORCE COURT GRANTS DECREES

Jennie Cullinan Legally Separated from the Man Who Abused Her.

### MRS. WANLESS ALSO DIVORCED

Wife of Defaulting Salt Lake Attorney Freed from the Obligations of Matrimony.

Judge Armstrong today granted Jennie Cullinan a divorce from Patrick E. Cullinan on the ground of cruelty. They were married in this city on Nov. 27, 1892. Plaintiff testified that on Jan. 27, 1895, in this city, her husband slapped her face, discolored one of her eyes and rendering her unfit for household duties for two weeks.

On the night of October 1, 1901, while they resided in Chicago, she said he came home intoxicated and drove her and her daughter out of the house and she was compelled to seek shelter at a neighbor's home. He repeated the act on the night of Nov. 10, 1901, and as she was far from friends she sat on the doorstep all night and contracted a very severe cold which made her ill for six months.

In August, 1902, he used vile and abusive language toward her and again slapped her face. They moved to Los Angeles in October of that year and she said that his treatment of her became worse, and that he threatened to kill her, whereupon she and her daughter fled from their home for safety and were compelled to stay away one week. In June, 1903, she testified that he left her for good, that he would kill her, and she and her daughter returned to Salt Lake to their relatives. For more than a year past she claims that he has failed to support her. She was granted a divorce and was allowed to resume her maiden name, Jennie Rowe.

### MRS. WANLESS DIVORCED.

Corilla C. Wanless was today granted a divorce by Judge Armstrong from Will F. Wanless, the Salt Lake attorney who recently left the state to avoid arrest upon the charge of misappropriation of funds belonging to a client. The ground for divorce is failure of support. The plaintiff testified that during their entire married life defendant had failed to provide her with sufficient and proper food and clothing, and during the winter just passed she was dependent upon her friends and relatives for means to provide her with necessary clothing to protect her from the inclement weather. They were married at Phoenix, Ariz., on Feb. 9, 1903. Plaintiff is allowed to resume her maiden name, Corilla C. Fisher.

### FORECLOSURE SUIT.

Frank Gustin Seeks to Recover Payment of \$500 Note.

Frank G. Gustin has filed suit in the district court against E. C. Rogerson and wife and P. T. Elwell, Franklin Lawrence and Salt Lake county to foreclose a mortgage on several lots in East Side addition to the city. The mortgage was given by Rogerson and wife on Feb. 8, 1897, to secure the payment of a note for \$500 in favor of A. E. Dent, which note has been assigned to plaintiff in this action. It is charged that Elwell, Lawrence and Salt Lake county claim some interest in the property, hence they are made parties defendant. Judgment is asked for \$500 and interest from March 8, 1905.

### BOY ROBBED HELD.

Petition for Writ of Habeas Corpus Denied by Judge Armstrong.

The petition of Harry Benson for a writ of habeas corpus was denied by Judge Armstrong today, and he was remanded to the custody of Sheriff Emery to await the action of the juvenile court. His case will be attended to by Judge Brown without delay should he decide that he will take jurisdiction in the case.

Benson is 17 years old and is charged with robbery. The petition for a writ of habeas corpus was made on the grounds that the complaint against him was not sworn to before a committing magistrate as provided by law, but was sworn to before a deputy clerk of the city court, and that the complaint was made merely on information and belief and not upon positive knowledge.

Judge Armstrong held that the deputy clerk is authorized by law to administer an oath and that such authorization is sufficient for him to take oath of a complainant in such a case as this. He also held that the papers in the case did not show that the complaint was sworn to merely on information and belief. He accordingly denied the writ.

### Suit on a Note.

Suit has been filed in the district court by Fred G. Lynberg against John H. and Mary Ryan to recover \$200 and interest alleged to be due on a promissory note executed by defendants on Oct. 10, 1901, and which they promised to pay out of an inheritance from the estate of Ryan's father.

### COURT NOTES

Judge Ritchie has rendered a judgment of dismissal in favor of defendants in the case of Richard Howe against Isaac Sears, T. E. and Eliza-best Jefferies. The case was brought to revive a judgment for \$2,894.42 secured by plaintiff against defendants in October, 1895. Defendants pleaded the statute of limitations and the court sustained the plea and dismissed the case.

### HAD A GREAT TIME.

Woodmen Return But Not With Expected Headquarters.

Several of the Woodmen's delegation to Los Angeles have returned, with reports of a great time in southern California. The trip included a sail to Catalina Island, and excursions to various other points of interest. They remark that there is not much chance of the Woodmen's headquarters ever leaving Denver, and that attempts to bring before the convention the matter of a change of location only resulted in the tabling of the motion. It was also noted that the big states gobbled up all of the offices. Hereafter, the smaller states like Utah and Idaho had been remembered with something of a representation; but this time they are left entirely short.

### STILL KICKING.

Grain Dealers Now Complaining of Auto Invasions.

dealers call attention to the fact that automobiles do not eat hay or grain, they never need the attention of the blacksmith, as they never need shoeing, and they cut into the vehicle trade. Automobiles tend to reduce the number of horses and in consequence there is also a reduction in the amount of horse trading, and then the veterinarian is having so much less to do.

### SENT TO REFORM SCHOOL.

Edith Goodfellow Committed to That Institution by Judge Brown.

Edith Goodfellow was sent to the reform school at Ogden today by Judge Brown of the juvenile court. The girl is only 15 years of age, and was committed to the school several days ago on the charge of incorrigibility, but sentence was suspended during her good behavior. She failed to be good, however, and was preparing to leave the state and go to Nevada and thus violate her parole, so she was gathered in by the sheriff and will now have to go to Ogden. The complaint against her was made by her father, who said that he could not control her.

### SCHETTLER INQUIRY.

Examination Resumed This Afternoon Before Referee Baldwin.

From the line of examination of B. H. Schettler this afternoon in the courtroom of Referee in Bankruptcy Charles Baldwin it was evident that the depositors will make a searching investigation of the transactions of the ex-banker. This afternoon the questions directed against him insinuated that he had given to all his family their total deposits just before the receiver took possession, and that he had transferred property to one of his sons, which in turn was transferred to his wife, for a nominal consideration, shortly before the bank closed, and when the books showed the bank to be totally insolvent. Additional subpoenas have been issued in the case for Receiver T. B. Anderson, who is planned to appear upon the stand tomorrow at 10 o'clock and for the wives and all of the grown children of Mr. Schettler, who will be questioned in relation to their personal relationship with the bank.

The examination, which was continued from yesterday afternoon, was conducted by Attorney C. B. Stewart, Attorney Will Ray, of the firm of Rawlins & Ray, representing Mr. Schettler, Mr. Blakely, the trustee in bankruptcy, and other heavy creditors were present when the hearing opened. The first series of questions dealt with the difference in values on real estate between the sworn statement of Schettler's bank made on Sept. 17, 1904, and the values listed in the schedule. In the latter statement appeared to be \$29,000 larger than the former. In the examination yesterday queries were put to Mr. Schettler as to the nature of the payment of \$25 to W. B. Preston, and today another item of \$500 paid to Mr. Preston was found, and it was the intention to query Mr. Schettler on this point. An item which Mr. Blakely did not favor, about which the attorneys intended to examine Mr. Schettler later, was the payment of \$500 to the Alder of \$500 on the 15th of October, Mrs. Alder is the mother-in-law of Cornelius Schettler. Another payment to the family that was investigated was to Carl Schettler of \$165 in October. Following up a claim of Mr. Schettler made yesterday that the handwriting in the ledger making a claim for \$500 was not the day book, was to be produced, showing the same entry in the same handwriting.

It is now thought that the examination will not be concluded for a week or 10 days.

### WEATHER REPORT

Record at the local office of the weather bureau for the 24 hours ending at 6 a. m. today:

Barometer reading at 6 a. m., 25.580. Temperature at 6 a. m., 44 degrees; maximum, 47; minimum, 43; mean, 45, which is 2 deg. above normal. Excess of the daily mean temperature since the first of the month, 29 degrees. Excess of daily mean temperature since Jan. 1, 33.3 deg. Precipitation since the first of the month, 1.41 inch, which is .34 inch below the normal. Deficiency in precipitation since Jan. 1, .60 inch.

### FORECASTS TILL 6 P. M. SATURDAY.

Local forecast for Salt Lake City and vicinity:

Friday tonight and Saturday: warmer. Saturday: fair.

Utah-forecast taken at Denver, Colo.:

Fair tonight and Saturday; warmer northwest portion Saturday.

### WEATHER CONDITIONS.

The barometer is highest over the Pacific and Atlantic states, plateau region and northern Rocky mountain slope; and lowest over the middle Rocky mountain slope, Missouri and upper Mississippi valleys, extreme northwest and Manitoba.

Precipitation occurred over portions of Oregon, Arizona, Gulf and Atlantic states, Ohio, Mississippi and Missouri valleys, lake region, Rocky mountain slope, extreme northwest and Canadian provinces. It was raining in the morning at Huron and Galveston. Thunderstorms were reported at Charleston, St. Louis, Kansas City and St. Paul.

Freezing temperature is reported from Wyoming and Idaho.

L. LODGE, Jr., Observer Temporarily in Charge.

### TODAY'S TEMPERATURE.

6 a. m., 44; 7 a. m., 44; 8 a. m., 44; 9 a. m., 45; 10 a. m., 45; 11 a. m., 45; 12 m., 45; 1 p. m., 45; 2 p. m., 45; 3 p. m., 45; 4 p. m., 45; 5 p. m., 45; 6 p. m., 45.

### YESTERDAY'S RECORD.

Highest, 47; Lowest, 43.

### Dyspeptics

Give instant relief in Sour Stomach, Heartburn, Nausea, all discomforts of indigestion and dyspepsia. Pleasant and economical. Medium size, 25c; Large, \$1; handsome aluminum bonbonniere, 30c. Druggists or mail.

## SUBSCRIPTIONS TO J. OF U. "GYM"

Citizens' Committee Issues Circular Letter Which Meets With Hearty Response.

### OVER \$700 ALREADY RECEIVED

Ideals to Advertise for Bids and Commence Construction at Once.

### CONTRIBUTIONS FOR GYMNASIUM

Author's Club ..... \$400  
Waldemar Van Cott ..... 100  
T. R. Cutler ..... 25  
L. S. Joseph ..... 100  
L. S. Hills ..... 100  
David Keith ..... 25  
Theodore Nystrom ..... 50  
W. H. Ellison ..... 10  
Chas. Read ..... 5  
Dr. W. L. Ellerbeek ..... 25  
J. T. Harris ..... 15  
J. P. Gardner ..... 25  
S. L. Terry ..... 25

This list of contributions, totalling \$770, represents the preliminary response of the people of Utah to the appeal of the University for enough money to complete a gymnasium. With the campaign which is now begun to raise the necessary funds comes the assurance from members of the board of regents, that bids for the building will be let at once, and the work will be completed this summer, the committee of citizens in charge of raising the money depending on the support of the people to see that the building is not stopped for lack of funds. Besides the list of contributions publishing above, most of which came in in response to circular letters sent out Thursday evening last, assurances of large donations have been made, but their exact nature is withheld for the present. The students have each pledged themselves to pay in \$5 within the coming year, and the alumni are nearly all coming to the front with substantial aid. In order to make anything at all of the building, the Legislature must be at least quadrupled, and then it would not approach the sum expended for gymnasiums in other states. The Legislature of the east and west.

The letters sent out to prominent people are signed by the following citizens: Elmer C. Ogden, Richard W. Wells, William H. King, D. A. Callahan, Charles G. Plummer, Richard W. Young, Richard P. Morris, R. H. Channing, William H. King, D. A. Callahan, Charles G. Plummer, Richard W. Young, Richard P. Morris, R. H. Channing.

### TEXT OF REQUEST.

The text of the letter is as follows: You are cordially invited to assist in the promotion of physical and mental training in our state. Systematic physical training is so essential to the mental and moral development of the youth that all well-regulated colleges and universities are expending vast sums for the equipment of gymnasiums, swimming pools, shower baths, football, baseball and tennis grounds, and, in fact, for all features looking to the proper physical development of college students.

Broad-minded educators fully realize that in order to produce the highest type of manhood the development must be three-sided—moral, intellectual, physical. The triangle is the strongest form of construction known to architecture, and it is this three-sided development, symmetrical, each side being appropriately developed, which the young man or young woman must have in order to be able properly to meet the problems of life in this strenuous age.

Never before in the history of the world has there been such a demand for a higher type of manhood, and along with a well-trained mind and a quickened moral perception as exists at the present day. The young man in any walk of life must be a man, and he is in a puny physical condition has not an even chance with his stronger fellowmen, and the time is fast approaching when men will be as much valued physically as of old for their moral and intellectual attainments. For intellectual development we must have the library and the laboratory; and just as essential to physical development is the gymnasium and the athletic field.

The University of Pennsylvania has recently expended more than half a million dollars in a gymnasium and the improvement of her athletic field; Stanford, a like amount; likewise at Yale, Harvard, Cornell, Michigan, and in all state universities there is an ever-growing interest in the matter in answer to the demand of the age that these institutions turn out men well equipped physically as well as intellectually.

We enclose a circular giving an address by Dr. J. William White, professor of surgery at the University of Pennsylvania, in which he makes a formal opening of Pennsylvania's new gymnasium. We request that you read it carefully. Prof. White's comments are of special value as he is a high standing in the medical world. Surely, if after years of careful observation of the effects of athletics, an institution which is an acknowledged medical center, will expend \$500,000 upon a gymnasium and athletic ground, no further argument should be needed to induce the citizens of Utah to follow the good example and to provide means for the proper physical and, therefore, as shown by Prof. White's argument, necessary and healthful development of the young men and women who should be leaders in contributing to the well being of our state.

The University of Utah has not even sufficient funds for general education, and athletics are unavoidably neglected. While some provision is made, it is inadequate to meet the need. The gymnasium is poorly equipped and the incentive for systematic athletic training is generally lacking. It seems necessary to call upon the alumni, former students and the citizens generally to place the athletics of the University upon a stable basis, which, once established, can thereafter be maintained.

Will you not return the enclosed blank, stating the amount you are willing to subscribe for this purpose? This blank is numbered to correspond with the number opposite your name on our list. Careful record will be kept of those assisting. Public acknowledgment will be made through the University's official publications, the University Chronicle, and later an effort will be made to supply subscribers with admission tickets to the exhibition of the University's athletic contests.

Outside of the present student body

the subscriptions have ranged from \$10 to \$100. A very large number of the students have agreed to contribute \$5 each from their summer earnings. This means a good deal, as the average student spends money almost the entire year and can only work for a few weeks.

Will you give us your co-operation both in money and words and good will?

Prof. Byron Cummings is treasurer, and contributions should be addressed to him at the University.

### COUNTRY CLUB OPENING.

Preparations Made for Swell Time Tomorrow Afternoon.

The Country club will hold opening day tomorrow, beginning at 2 p. m., and preparations have been made for the greatest event in the history of the club. The features of the occasion will be the golf and tennis tournaments lasting until 8 p. m. There are not a few fine tennis and golf players in the Country club and their presence will be an assurance of extra good work.

There is to be a mustering of the afternoon, and in the evening there will be dancing. The Country clubmen have the reputation of being handsome entertainers, and with their guests, they will manage to hold the most noted function of the kind ever given in this city.

### THREE BOYS MISSING.

Information is wanted concerning three boys who left their homes at Bingham Junction, namely, Sammie Jones, 16 years old, gray eyes, light hair, scar on right side of neck, large teeth in front badly decayed, one tooth broken off; Wallace Ackerson, 15 years old, blonde, with brown eyes; Wilford Hunt, aged 15, light complexion.

### BUSINESS NOTES.

Today's local bank clearings amounted to \$443,693.14 against \$419,592.31 for the same day last year.

A copy of the articles of incorporation of the Nevada-Idaho Mining & Investment company of Ogden was filed in the secretary of state's office today. Its capital stock is \$1,000,000, divided into shares of the par value of \$1 each. W. H. Chevers is president; T. F. Collins, vice president; G. B. Roberts, secretary; Edna F. Nichols, treasurer. The company owns four claims in Nye county, Nevada.

The Cramer Electric company of this city has filed its articles of incorporation in the county clerk's office. It is capitalized at \$50,000, divided into shares of the par value of \$1 each. Leo Cramer is president; Hugh Cramer, vice president; John Cramer, secretary and treasurer. The company succeeds to the property of the Idaho Electric Supply company which includes several valuable light and power franchises.

A copy of the articles of incorporation of the Thornley-Stewart Ranch company of this city has been filed in the secretary of state's office. The capital stock of the company is \$25,000, divided into shares of the par value of \$1 each. J. H. Thornley is president; Cynthia A. Stewart, vice president; Hyrum Stewart, secretary and treasurer.

Meers, Haack & Bradshaw of Los Angeles filed for record yesterday afternoon, with the county recorder, their purchase of the Stevens property on State street south of the Independent Telephone building, the price recorded being \$30,000, or \$353 per front foot. The purchasers say they expect to erect thereon a large building to be known as the Stevens block.

### LATE LOCALS.

Strawberries are selling today at 15 cents a box.

The Brigham exchange of the Independent telephone company was completed today.

Workmen are putting in the concrete foundations for the piers of the new Herald building.

Word from Providence, R. I., says that E. E. Rich is steadily improving and will soon be able to return home. His address is 61 Joslyn street.

Much of the soil taken from building excavations in this city is being hauled to the southwestern part of the city for filling in low grounds.

Mark Forester of Macon, Miss., writes to Postmaster Thomas making inquiries as to the possible whereabouts of W. J. Cox, who is supposed to be in this city.

Local implement dealers report a steady business in plows, harrows, cultivators, etc., and that agricultural operations are opening up on a fairly good scale.

Local lumbermen report that business is good in the city this year, and that a great deal of lumber is being sold at present for a wide variety of purposes.

State Chemist Harms has a 100 or over samples of vinegar taken from grocery stores which he is testing to find the per centage of acetic acid in them.

Clerk Judd of the board of education will pay the salaries of the officers of the board and the janitors of the schools for the month of April tomorrow. The total amount of the payroll is \$2,520.

There is promise of pleasant weather for the next two days, and the skies are fair and bright. The warm sun is very grateful, and at the same time there is a breeze blowing that is just cool enough to be invigorating.

Adjutant General Bowman and Captain Ely of the Twenty-ninth infantry returned this morning from inspecting companies B of Ogden and E of Bountiful, and will inspect A company at Nephi tonight, and F company of Mant tomorrow night.

The Knights of Columbus will have a red letter day in Ogden next Sunday. There are 45 candidates there who will take the new B. V. T. course, and the order will go up from Salt Lake to attend the festivities. Members are also expected from Pocatello and Boise.

J. T. Raleigh has the contract for excavating for both the Orpheum theater and the new B. V. T. Trust company building to go up on the Elk saloon corner at First South and State streets, at 40 cents per cubic yard. It is figured that there will be 5,000 yards in the two excavations.

Captain G. A. Hammond, drill expert with the reclamation bureau of the geological survey, leaves tonight for Washington state, where he will do some work on the Palouse reservation. He returns May 18, and will then go into the Strawberry country to do some work there.

### SUMMER COLD.

Laxative Bromo Quinine, the world-wide Cold Cure, removes the cause, cures the full name and look for signature of Dr. W. Grove.

## HOME RAILROAD BOOMS SALT LAKE

Declares it Has the Beautiful City of Los Angeles "Skinned A Mile."

### GOOD EXAMPLE TO FOLLOW.

A Hint That the Knockers Organ Might Take Note of With Profit To All Concerned.

Regarding the mission of every patriotic Salt Lake to boost for Salt Lake morning, noon and night, a member of the local railroad fraternity tells a story about District Freight and Passenger Moore of the Salt Lake Route on the occasion of his recent visit to Los Angeles, a city that boasts it has the best of everything going and whose citizens will fight at the drop of the hat if anyone else dares to assert that any place on the globe can hold a candle to it.

It happened in one of the big elevators in the Huntington building as a group of people were coming down from the top floor, one of the passengers started joking Moore about being isolated among the "Mormons" away off in Salt Lake and then he turned loose on him.

"Salt Lake has got Los Angeles skinned a mile," said the railroad man, while the assembled Californians gaped in righteous horror. "We have better streets, more amusements, and a climate that knocks Los Angeles silly. Just as soon as people know just what we have in Salt Lake, we will not have cars enough to haul them there to get in and see the ground floor of the coming boom."

People tried to reason with Moore but he was obstinate and carried on the argument down the street. A gentleman in relating the story stated that Moore carried out this policy during his stay in Los Angeles and got into a quarrel with the city fathers regarding the relative merits of the two cities.

"If," said he, "everybody who went away from Salt Lake would take a leaf out of Moore's book and boost first, last and all the time there would be something doing in Salt Lake. Conditions here are very similar to those existing in Los Angeles before the boom. It is time to form a Boosters' club and bury the hatchet. I cannot for the life of me see the good of this fight that is being waged by a lot of soreheads. One would think that they would want to get all the outsiders here possible instead of frightening them away. If I could not get the greater number of strangers that was induced to come to Salt Lake the greater would be their chances of gaining their object. This knock-out is going on in a senseless. There never was a time when Salt Lake could be so benefited by boosting as right now. Why not all the boosters of the city unite in a common effort to make the city that has every natural advantage of being ultimately the biggest in the inter-mountain region?"

### ARMORY BOARD MEETS.

The state armory board, which was created by an act passed by the last Legislature, held an informal meeting in the governor's office today and talked over matters pertaining to the guards. The board is composed of Gov. Cutler, Secy. of State, Pinyo, Adj.-Gen. Bowman and Brig.-Gen. Park. It will meet again on Monday and organize permanently.

### AFTERNOON ON EXCHANGE.

This afternoon's sales on the mining exchange were: 23; 100 at 22; 2000 at 21. May Day, 2,700 at 23; 350 at 24; 100 at 25; 100 at 26; 100 at 27. Ingot, 2,500 at 21. The bid was 1,000 at 21. New York, 100 at 21.

### THE SENEGAMBIAN BUFFALO

The interesting specimen of the bison family depicted in the cut has recently been acquired by the British Zoological society and is now on exhibition at the London zoo. He is a male of the species, and is the only animal of his kind ever exhibited in Great Britain. He is somewhat smaller and has lighter horns than the well known Cape buffalo of South Africa and is quite as domestic in his habits as that useful animal.

One of the directors of the London zoo have made an effort to make their collection of bison embrace every species of that interesting animal now in existence. There is a fine herd of the American variety at the zoo.

### GAYNOR AND GREENE.

Have Been Put on Their Defense in Extradition Proceedings.

Montreal, April 28.—Messrs. Gaynor and Greene have been put upon their defense. Magistrate La Fontaine, the extradition commissioner, announced today that he considered a prima facie case of conspiracy had been made between Gaynor and Greene and Capt. Carter and others for the purpose of defrauding the United States government. He therefore announced that he was prepared to hear their defense.

### SIXTEEN MEN KILLED IN COAL MINES EXPLOSION

Dubois, Pa., April 28.—Sixteen men were killed and one will die as a result of an explosion at the Elevator shaft, near Big Run. The shaft is located on a half mile from the Big Run on the Buffalo, Rochester & Pittsburgh railway, 12 miles south of here. It is an isolated part of the country and the explosion had occurred last night, was not known in this city until today. The mine is owned and operated by the Rochester and Pittsburgh Coal and Iron company, and is com-

paratively a new shaft, having been opened two years ago. The mine was thought to be free from dangerous gases. The night shift was small and there would have been more fatalities. Every man who was in the mine at the time of the explosion except one is reported killed. Three bodies thus far have been recovered.

### Lost Soldier Found.

Helena, Mont., April 28.—A dispatch to the Record from Kalispel says Teddy Reynolds, the discharged soldier, who was lost in the mountains north of Columbia Falls, was found last night at a ranch four miles from the camp which he left. He left camp to find a spring and being unacquainted with the country, became lost and wandered about 18 hours until he came to the ranch where he arrived in an exhausted condition.

### Smith is Still a Fugitive.

San Francisco, April 28.—Former Tax Collector L. J. Smith, indicted on two charges of felonious embezzlement, is still a fugitive from justice, though the police are confident that he soon will be located and placed under arrest. It will be several days before the exact amount of the city's funds he appropriated during the last 12 months will be known, but present indications are that about \$100,000 will be found to be missing. Smith's wife, who has been ill for some time, is reported today to be in a critical condition, owing to the shock caused by learning of his crime and desertion.

The count of the funds in the city treasury is progressing as quickly as possible and the business methods of that department of the municipal government are being closely investigated.

### Senator Dilliver's Father Dead.

Washington, April 28.—James P. Dilliver of Morgantown, W. Va., father of Senator John P. Dilliver of Iowa, died at the residence of his son today.

### EX-PENSION COM' R WARE ANSWERS COM' R WARNER

Topeka, Kas., April 28.—Ex-United States Pension Commissioner E. F. Ware, replying to charges made by the present commissioner, J. H. Warner, of violating "order No. 75" making \$750,000 extra expense, today said:

"I do not know to what particular cases the order No. 75 was violated. A soldier might have a right to a pension and thousands of them had, both under the old law and under the order 75 known as the old order, and hence it would make no difference under which it was issued."

It is not a question of whether (technically) order No. 75 was violated, but whether some old soldier got a pension or an increase to which he was not entitled. I know nothing about the pension commission has found, but in justice to the reputation of the honest and capable men who are his subordinates in the bureau, he ought before ranking up charges, to examine and see whether any old soldier has got a pension or increase, who was not entitled to it, and ought to publish the names of such pensioners giving the individual names and instances. If he does it now to the public to print the names and the company, regiment and state, and give facts, not generalities."

### NELSON AND HERRERA.

Will Meet in Butte on Miners' Day, June 13.

Butte, Mont., April 28.—The Butte Athletic club has matched Battling Nelson and Aurelio Herrera to box 20 rounds at 130 pounds in this city for Miners' Union day, June 13. The losers are to get 60 per cent of the receipts, the winner to take 75 and the loser 25. Nelson offers to bet any amount up to \$10,000 on himself. A telegram today from Bill Nolan at San Francisco, accepted the terms. Herrera, who is managing himself, accepted by letter last week.